

IN THE BORDEN CASE.

Policeman Denied Admission to the House in Fall River.

He Came to Search Again for Trace of That Hatchet Handle.

All the Officers on the Case but Mullaly Have Been Promoted.

NEW BEDFORD, Mass., June 10.—

There was less of a rush this morning than there has been yet for the Borden trial, the morning opening warm and muggy, and the uncomfortable condition of the court-room being too little attractive, in view of past experiences, to offset the drawing powers of commonplace evidence.

Miss Borden took her seat at \$5 within the bar, and looked quite fresh and rosy, and more interested in her surroundings than has been apparent heretofore. Yesterday she fingered her fan and used it as expressing her thoughts and feelings, twirling it about in a hazy and indefinite satisfaction or disappointment; this morning her smiling-bottle had the prominent place within the grasp of her fingers, and she toyed with the little glass stopper somewhat nervously as she furtively glanced about under the brim of her black lace hat.

Before court opened counsel on both sides held a consultation in the private room of the Justices.

A POLICE LIEUTENANT'S STORY.

The first witness was Lieut. F. L. Edson, of the Fall River police force, who testified as follows: "At the time of the Borden tragedy I was acting Sergeant of Police. At 8.40 last night I went to the Borden house in consequence of instructions, but was refused admission. The servant only appearing at the door, I sent word to Miss Emma Borden requesting to be admitted, but was refused. Officer Mahoney was with me.

"On the morning of Aug. 5 last I took two wood-axes and a small hatchet from the Borden house. The axes and hatchet were taken to the Central police station, and I haven't had anything to do with them since. When I was at the house in the morning of the 5th, I was talking with Emma, and Lizzie, and I asked them whether she was sure the back cellar door was locked, and the answer was: 'Yes.'"

"I took part in a search of the premises on the 8th. Desmond, Connors, Quigley, Medley and an outsider, Mr. A. J. Jennings, and Inspector Hanning were there also; they came there when we were searching; so far as I knew, Hanscom was never associated with the case in any way.

Cross-examination: "This last search was made during the day, we arriving about 10 o'clock, and I don't remember we searched for ourselves, each one being detailed to do different work. I searched about in the cellar, about the furnace, the wood cellar, the one in the southwest corner of the house, to which Mrs. Kelly, I don't remember, that there were any boxes in that room, but there were in the room adjoining; they were on the ground, but I did not see any on a shelf; there was a chimney there.

"There were boxes placed along there in which the children had been placed. I didn't notice any box on a shelf near the chimney. I did not see any box taken down. My work was done carefully, and I think the others did theirs so; I found nothing in the box of children and nothing anywhere else. The hatchets and axes were not there that morning.

THE HANDLESS HATCHET.

"Officer Medley took away that morning a hatchet which I showed him. It was wrapped up in a paper. It had no handle, and he had no handle in his possession. I saw no handle there. I don't know where he got this hatchet. During my search in the cellar I found nothing bearing upon this case, and at that time I was satisfied there was nothing. We had a man with us to open the chimney if necessary. I am quite sure he did open it, but am not positive; his name is Charles H. Bryant. I don't know that he took anything away from the chimney. I was as long as I wanted to be, and had every opportunity to search that I wanted."

Officer Edson's testimony was valuable only as showing an ineffectual attempt last night to search the Borden case for the hatchet handle sworn to by Mullaly, which Marshall Fleet said he did not see, and as a description of the thorough search of the cellar after the murder, when he saw no loose hatchet handle.

His statement that State Detective McHenry was at the barn during the search brought out an inquiry as to the latter's connection with the Fall River police. Mr. Robinson also brought out the fact that nearly all the Fall River police prominent in this case, have been promoted since the murder, except Mullaly, who yesterday contradicted Fleet.

McHenry is the detective connected with the story of new evidence sent out some months ago by a Boston reporter, now dead, and afterwards contradicted. The prisoner closely watched the exhibition to the jury of a box and basket containing lead found in the barn.

At 10 o'clock Officer Benjamin F. Mahoney was called, and corroborated Lieut. Edson. At 10.05 Officer Medley was called.

Medley described finding the barn door fastened, and seeing that the dust upstairs had not been disturbed. He saw the windows and doors upstairs were closed. His examination was made within five minutes after reaching the house.

MEDLEY SAW NO HANDLE.

Officer Medley described his finding of the hatchet handle, covered with coarse dust of ashes, except on the new break. He saw no handle there and never had possession of any part of the handle, except that which was in the head of the hatchet.

Witness identified the small hatchet, and said that when he found it the piece was in the iron. Continuing, he said: "When I saw it first it was covered with dust, like the dust of ashes which had been blown over it; I noticed that the break in the handle was new, but did not notice any dust or ashes on

the point of breaking. I could not say whether the dust adhered or was loose. On cross-examination, Medley said McHenry was engaged with him on the case.

The prisoner leaned forward and anxiously watched the witness as he said that it was more than likely he consulted Marshall Hilliard about this case when McHenry was present.

After recess, five minutes, at 11.05, Officer Desmond testified to finding a hatchet handle, containing that the dust on it was very much coarser than any other dust in the cellar. State Detective George F. Seaver testified to finding the hatchet handle covered with coarse dust, giving more positive evidence than the other officers. He also described the examination of the dress and the blood spots found in the house.

On cross-examination, he said he could not tell within three months to the time when the break in the hatchet handle was made. Officer Robinson also examined the witness carefully as to the dress, searched, and confused him about them, which amused the prisoner greatly. Nothing of importance was brought out in the last half hour, and at 12.25 the court adjourned until Monday morning at 10 o'clock.

The matter of the admissibility of Miss Borden's evidence at the inquest over the murdered pair will be argued on Monday.

Lizzie Borden's Counsel Allowed to Search the House Again.

FALL RIVER, Mass., June 10.—Lizzie Borden's counsel and Charles J. Holmes searched the cellar of the Borden house last night, but could not find the broken hatchet handle, which Officer Mullaly swore was in a box with the head of the implement when he searched the house after the murder.

ENGRAVER THIEF MISSING.

He Sends Word to His Wife that She Will See Him No More.

Mrs. Margaret Thiele, of 500 East High-street, reported that her husband Bruno Thiele, thirty-nine years old, has been missing since June 3. She said he is an engraver and works for Gerland & Hassey, 30 Vesey street. He was overcome by heat June 3, and taken home. He went to work the next morning, but was not seen since. He was last seen at 146 Eldridge street, and had been seen since.

He was about 5 feet 7 inches, of dark complexion, with grey mixed hair, brown mustache and chin whiskers. The thumb of his left hand is enlarged. He wore a pepper and salt suit and vest, light trousers with a white stripe, lawn tennis shirt and white straw hat. The police reported to the police at noon that on their return from Police Headquarters this morning they found a postcard from Bruno Thiele, dated yesterday at West Farms. He said he expected to see her no more, that he was tired and that he was without money, work and home.

It is believed that Thiele is out of his mind.

HIS DEATH NOTICE WAS A JOKE.

Ex-Assemblyman Irving Is Still Alive and Healthy.

Ex-Assemblyman and ex-Alderman "Jimmy" Irving, whose obituary appeared in one of the morning papers, was in the Jefferson Market Police Court this morning, looking hale and hearty, and as if he was young yet for nearly seven dozen years of life. When spoken to about the death notice, Irving laughed heartily, and said he presumed that some wag had inserted the notice for a joke on him.

He was asked to enter the court while two court lawyers were discussing his death. He defended him the time he nearly killed Dick Darling, said one.

"Well, you got your feet dirty, you said. The lawyers didn't wait. One went out of the door, while the other ran for the cellar stairs."

MISSING JOHN J. COOK.

His Wife Thinks He Has Met with Fatal Fall.

John J. Cook, fifty-two years old, who was employed as a guard on the Elevated Railroad, has been missing from his home since yesterday morning at 12.30. His wife reported the case to the police this morning. She said her husband left his home, 203 Columbia avenue, to go to Kelly's saloon, as usual, but did not return. She supposed he was away for a few minutes, but he has not returned.

She was dressed in his uniform, but had only a little change in his pockets. She believes he has met with fatal fall, as he had no reason for leaving his home and family.

STEAMER PARIS SIGHTED.

The Crack American Liner Passes Scilly This Morning.

LONDON, June 10.—The American line steamer Paris, Capt. Randle, which sailed from New York Saturday, June 3, passing the Hook at 10.2 A. M., and was supposed to intend a trip up the coast to the Cunard steamer Campania, passed Scilly at 4.40 A. M. this morning.

The Campania passed the Hook, out of New York, at 10.21 A. M. the same day with the Paris, and was sighted off Broadhead at 8.40 A. M. yesterday.

TO BE TRIED FOR CONSPIRACY.

Regulation to Issue for General Electric Officers.

HARRISBURG, June 10.—Gov. Pattison this afternoon heard argument on the application for a requisition for the officers of the General Electric Company of New York, who were indicted in the Pittsburgh case for conspiracy against the Westinghouse Electric Company.

John Daisell, for the Westinghouse, showed that Messrs. Clark and Hanna, two of the indicted parties, were in this State at the time of the alleged offense, and the requisition will be issued for Clark and Hamilton.

BROOKLYN STREET CAR EXTENSION.

ALBANY, June 10.—The Union Street Railway Company, of Brooklyn, today filed with the Secretary of State a certificate showing that it proposed to extend the route of its road along the Prospect Park plaza from Douglas street to Ninth avenue and Union street.

FLED FOR HIS LIFE.

Albert Schmidt Fleeing by an Infuriated Mob.

His Wife Shouted that He Was Kidnapping Their Child.

The Court Just Given It Into His Custody.

There was an exciting scene in the vicinity of the public buildings in Brooklyn this morning. Two hundred men and boys, acting under the impression that a man was kidnapping a child from its mother, chased Albert Schmidt, a German, in front of the Court-House along the street, where his child was taken from him and restored to its mother.

The crowd was enraged at the supposed outrage, and Schmidt was compelled to take to his heels to save his life. He found shelter on the top floor of an office building on Court street, and remained there until policemen escorted him to a place of safety.

Some time ago Schmidt sued his wife in the City Court for an absolute divorce. He alleged that she was living with Peter M. Van Hoesen, at 31 South Third street, Williamsburg.

The couple were married in September, 1888. Two children have been born to Mrs. Schmidt. The one in dispute is four-year-old Elizabeth.

The divorce suit was tried before Chief Justice Albert J. Hendon, and on Wednesday he signed a decree granting Schmidt a divorce, awarding him the custody of the child. Mrs. Schmidt was called upon to give up the child, and she refused. Schmidt's lawyer got out a writ of habeas corpus to compel her to bring the child into court today, and she refused to obey. Mrs. Schmidt should not be obeyed. Mrs. Schmidt came into court this morning with a baby in her arms and Elizabeth tugging at her dress.

Judge Van Wyck, who was on the bench, examined the decree, and told the child she would have to give up the child. "But I won't give her up," said Mrs. Schmidt, breaking into tears. "Well, madam, I can't modify Judge Clement's order, and it must be obeyed. Now don't you think you had better let your husband have the child without making any trouble?" Mrs. Schmidt replied.

The judge's counsel, draw your order, said Judge Van Wyck. A formal order for the possession of the child was made out. The judge's order was asked again if he would give up the child without creating a scene. She hesitated, and then she bowed, but made no reply. Judge Van Wyck then ordered officer Andrew Beck to take the child away from Mrs. Schmidt.

As the officer approached the woman screamed and cried, and Elizabeth tightly around the waist. She kicked and butted him with her hands, and he was unable to get the child, and he called two other officers to his assistance.

In a few minutes they secured the youngster, who was nearly as white as paper, and he was taken to the court-room. Schmidt started out of the court-room, and he was followed by her other children.

She called upon the bystanders to help her, and she was taken to the court-room. Schmidt started out of the court-room, and he was followed by her other children.

There goes a man; he's stealing my child. The crowd outside the building did not know what was happening, and a cry went up that a child was being kidnapped.

"There he goes," yelled a score of persons. "He's got the child in his arms. A hundred persons joined in the chase, calling upon the man to halt. At the corner of Court street a gang of fifty men, some of whom were carrying clubs, heard the rumble, and seeing the man running away, ran after him and surrounded him.

Fists were shaken in his face, and he was threatened with all sorts of violence. He did not give up the child. Mrs. Schmidt had caught up with the crowd in the mean time, and her cries for help only served to put the crowd in an ugly mood.

"Make him give up the child," "Kill him," and other cries of the mob reached out and took the child of Schmidt's arms, although he protested that the child had given him the child.

"He's a liar," shouted somebody in the crowd. "Kill the scoundrel." It looked very much as though Schmidt would be mobbed, and he looked like a man who was in a bad way. Through the crowd he ran, and he was followed by a mob of men, some of whom were carrying clubs.

The mob was surrounding him, and he dashed into a hallway, with the gang at his heels. He sprang up the stairs to the top floor of the building, and he was followed by the mob. The mob was following him, and he was followed by the mob.

Schmidt went to the office of his lawyer, Mr. L. Towns, and it is said he will apply to his ex-wife's committee for contempt of court. He will also bring new proceedings to get possession of the child.

Cemetery Injunction Continued.

ALBANY, June 10.—The Supreme Court, Brooklyn, today refused an injunction restraining the Union Cemetery company of Brooklyn from disposing of its property or from using the money received for it in its business.

Starvation Begot Stealing.

ALBANY, June 10.—A man, a socialist, twenty-four years old, of 35 East Thirty-second street, was held in Yorkville Court for stealing two bottles of milk from a store on Douglas street at Ninth avenue and Union street.

OUR THEATRES NEXT WEEK.

"Robin Hood" to Be Continued Indefinitely at the Garden.

"A Flag of Truce" Opens the Fourteenth Street Theatre Season.

The Bostons will continue to present dramatics at the Garden Theatre during the coming week, and the new "Robin Hood" will be continued.

The Bostons will continue to present dramatics at the Garden Theatre during the coming week, and the new "Robin Hood" will be continued. The organization now at the Garden will play next season in New York, Chicago, Boston and Philadelphia only.

A Summer season will be begun at the Fourteenth Street Theatre Monday night by Walter Sanford's dramatic stock company. The play for the coming week will be the melodrama called "A Flag of Truce," by William Hamworth, author of "The Ensign," and in the cast will be Henry Henshaw, John Woodard, Anna Belmont and May Thompson. The big scene in this play will be the battle of Tewkesbury.

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BLOW TO PRIZE-FIGHTING.

Action of Indiana's Governor Awaited with Interest.

Crescent City Club to Arrange Fights on Percentage Basis.

Official prejudice against boxing contests appears to be spreading so extensively that the alarmists in the sporting world are doing a powerful lot of guessing. Some days ago Gov. Matthews, of Indiana, declared with convincing positiveness that he would prevent all sparring exhibitions and finish contests within the boundaries of his state if he could be convinced that boxing was a cruel and unnecessary sport.

The Hinchey grand opera company will have a very interesting repertoire at the Grand Opera House next week. "Lucia" will be sung Monday evening, "Carmen" Tuesday, "La Traviata" Wednesday, "Tosca" Thursday, and "La Traviata" Friday.

Two lawless, a drummer and a professional gambler, who were arrested by the Board of Arbitration of Chicago, are said to be in Chicago at present.

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FROM THE WORLD OF LABOR.

A new labor paper is about to be published by Joseph W. La Follette in Milwaukee, Wis.

Over 50 unemployed theatrical people are said to be in Chicago at present.

An advance of \$5 per month has been secured by the journeyman brewers of Sandusky, O.

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